IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	**François LE BOURHIS**	Docket:	06028.0045-00
Serial No.:	10/796,016	Art Unit:	1616
Filed:	March 10, 2004	Examiner:	Soroush, Ali
Assignee:	L'OREAL	Conf. No.	2658

Title: Aerosol device comprising a cosmetic composition comprising at the least one polyurethane and at least one propellant comprising dimethylether and at least one C3-C5 hydrocarbon

DECLARATION PURSUANT TO 37 CFR 1.132

I, François Le Bourhis, declare:

THAT I am a French citizen, residing at 3 ruelle de le Grande Cour 93300 Aubervilliers, France

THAT, I have been employed by L'OREAL since july 1989, and am currently a Research and Development Engineer.

THAT, I have carried out research on hair treatment compositions and particularly on product delivered by aerosol for hair styling during the time of my employment with L'OREAL.

THAT, I am familiar with the invention set forth in United States Patent Application Serial No. 10/796,016 filed on March 10, 2004 entitled: "Aerosol device comprising a cosmetic composition comprising at least one polyurethane and at least one propellant comprising dimethylether and at least one C3-C5 hydrocarbon."

THAT, I have prepared the following compositions:

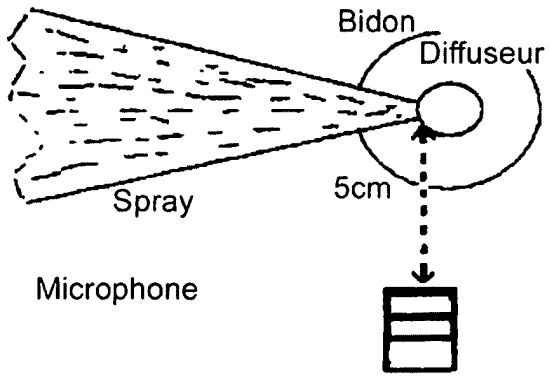
Composition A is according to the invention, as it contains a mixture of propellant gas according to claim 1, i.e. a mixture of dimethylether and n-butane.
Composition B is a comparative composition, whichs contain only one propellant gas, i.e. only dimethylether.

	A (according to the invention)	B (according to prior art)
Duviset Si-PUR resin	6.00	6.00
Parsol MCX	0.05	0.05
Demineralized water	12	12
Demineralized water for formulation	3	3
Fragance	0.10	0.10
Absolute Ethyl alcohol	qs 100	qs 100
Dimethyl ether	**25**	**40**
n-butane	**15**	**-**

Results :

-Compositions A and B have been prepared with the following material and measurement conditions explained below:

The aerosol device "Precision Sound Level Meter Type 2232" from "Bruel l Kjaer" is used. The measure is taken according to the following scheme :



I have placed the measure microphone at 5 cm of the diffuser (diffuseur in the scheme) of the aerosol device (bidon in the scheme).
The measurements are realized in a room without activity.

The measurements are presented in the table below:

Sound level without diffusion	Sound level during the diffusion of **aerosol A**	Sound level during the diffusion of aerosol B
41+/-2db(A)	48+/-2db(A)	55+/-2db(A)

Conclusion:

The aerosol A according to the invention leads to a sound level lower than the sound level obtained with aerosol B.

I further declare that all statements made herein of my own knowledge are true and that all statements are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

December 30, 2008